

JAMIE NABOZNY

Jamie Nabozny grew up in Ashland, Wisconsin, a small town located on the south shore of Lake Superior. By the time Jamie was in middle school, he found himself the target of physical violence and degrading acts by classmates. When Jamie turned to school officials for help, he was told to expect abuse for his sexuality and to stop “acting so gay.”

As the attacks continued and school staff looked on with indifference, Jamie lost hope and moved to Minneapolis. Free at last from much of the verbal and physical violence that had dominated his young life, Nabozny realized that he was not alone. Similar acts of abuse were happening to students across the country. Jamie decided to take a stand for his rights and the rights of his fellow students. In 1995, he took legal action against his middle school where he had been so badly beaten by his classmates that he required abdominal surgery to undo the damage.

Although his first attempt at legal action was unsuccessful, his case drew the attention of Lambda Legal, a civil-rights oriented law firm. With their help, Jamie took his case to a federal appeals court for a second trial. His new trial issued the first judicial opinion in American history to find a public school accountable for allowing anti-gay abuse, and the school officials liable for Jamie’s injuries. This landmark decision entitled students across the United States to a safe educational experience, regardless of their sexual identity.

Today Jamie travels the country speaking to students and teachers about the dangers of bullying and how they can stop it in their schools and communities. Jamie’s story has been turned into a short documentary “Bullied” produced by The Southern Poverty Law Center in 2011.



Jamie Nabozny © TK

“AND THIS LAST FALL WAS A TURNING POINT, I DON’T THINK JUST FOR THE GLBT MOVEMENT BUT FOR THE BULLYING MOVEMENT. BECAUSE PEOPLE STARTED SAYING, ‘IF KIDS ARE KILLING THEMSELVES BECAUSE OF WHAT’S HAPPENING IN SCHOOLS WE NEED TO DO SOMETHING ABOUT THAT. IF KIDS ARE KILLING THEMSELVES BECAUSE OF OUR SOCIETY’S ATTITUDES TOWARDS THEM AND WHETHER OR NOT THEY SHOULD EXIST, WE NEED TO DO SOMETHING ABOUT THAT.’”

*EXCERPTS FROM A SPEECH GIVEN AT BRIDGEWATER STATE UNIVERSITY,
APRIL 5, 2011*

I'd like to start with telling you a little bit of what happened to me when I was in school. The harassment started when I was in seventh grade, and it started with verbal harassment as it often does. Kids were calling me 'fag' and 'queer', and why they targeted me I don't know, but they did. I wasn't interested in girls, I wasn't interested in sports, and so for a variety of reasons I was singled out and targeted. I also happened to be gay, and so the harassment started. I went into the student handbook and looked up harassment and found out what steps I was supposed to take to address the harassment and that involved telling the guidance counselor who directed me to the principal of the school. And in the very beginning the principal said things to me like, 'I'll take care of it', 'I'll deal with it' and nothing changed, the harassment continued.

Until one day in seventh grade I was in a bathroom with my brother and some kids actually ended up pushing us into the stalls and punching us. And I thought, "Okay, now that it's turned violent the principal has to do something." So I went into her office and told her what happened, and she said to me, "Jaime, if you're going to be so openly gay, these kinds of things are going to happen to you." And I was shocked, I left school and was suspended for leaving school without permission. I went home and told my parents and my parents demanded a meeting with these kids and their parents. There were two of the kids, one of the moms came, my mom, my dad, me, my brother and the principal of the middle school. And at that meeting we talked about what had happened. The principal of the middle school actually said, "Mr. and Mrs. Nabozny, boys are going to be boys, and if your son is going to be openly gay he has to expect this kind of stuff." Well as you can imagine, that sent a green light to those kids that it was okay to continue to harass me. And from that episode, the harassment continued to escalate. I attempted to kill myself, was put into an adolescent psych ward and then was returned back to the middle school in the eighth grade.

Partially through my eighth grade year I was in a science classroom, and sitting next to two of the boys who were my biggest harassers and they started groping me and grabbing me and pushed me to the ground and pretended like they were raping me in front of the entire class. The teacher was out of the classroom I got up, my shirt was ripped, I was crying, I ran to the principal's office, expecting, surely she's going to do something now, it's a sexual thing and I know there's a lot of rules about sexual harassment and what you're not supposed to do in school. And she just looked at me and shook her head and said, "Jaime, if you don't have an appointment than I don't have anything to say to you." I left school, and went home and I attempted to kill myself again. I then went back to Ashland and started my freshman year in high school. And my parents tried to assure me that things would be different, the kids who were harassing me were now freshman, and the older kids wouldn't know who I was. Well, in my third week of school I was pushed into a urinal and urinated on. And when I went to tell them at the office I actually didn't even get to see the

principal. The secretary called the principal and I was told to go home and change my clothes, and nothing was done about what happened to me. I quickly realized that I needed to figure out some survival mechanisms to get me through school.

And basically a lot of times I thought I had went numb between my ninth grade year and the last incident that happened to me, because I really didn't show my emotions at school. I'll tell you I showed them at home, I would go home and lock myself in my room and cry, and my parents were at the end of their ropes, trying to figure out what to do and trying to help me.

So in my eleventh grade year, I had found a place to hide in the morning before school started, and that particular day I didn't hide well enough. Some kids found me, and I was sitting cross-legged on the floor and one of them kicked the books out of my hands, and said, "Get up and fight faggot." And when I went to pick the books up, he started to kick me, and he continued to kick me and kick me until the lights in the library went on which meant that the librarian was there and at that point they took off. I had to be taken to the hospital; I had to have emergency abdominal surgery for internal bruising and bleeding. My spleen had ruptured and I had a tear in my stomach. And I knew I wasn't ever going to be safe at school and I knew I had to leave Ashland. I ended up running away to Minneapolis-St. Paul which was the only place I knew gay people existed, and figured I would be safe there. I got down there and quickly realized that there's not a lot that I could do when you're seventeen to survive on the streets, or at least not things that I was willing to do and so I called home and told my parents, "you know how bad it is for me at school, just let me live here and go back to school and be safe." And my mom said it was the hardest thing that she ever had to do, was to let me go. I was only seventeen and I had just turned seventeen at that point.

And so while I was in Minneapolis I ended up going to what was, at the time, the Gay and Lesbian Community Action Council, and I ended up meeting with their Crime Victims Advocate who happened to be a lawyer and she told me that what happened to me was wrong and it was illegal and I needed to sue my school. And I went home and I called my parents and I told them about this crazy lesbian lawyer at the Community Action Council, and her crazy ideas about suing the school. And my mom was silent for a second and I could tell she had tears in her eyes, and she said, "Jaime, you need to do this, too many kids are suffering out there. And you have the ability to stand up and fight back." And she said, "Somebody needs to say this is wrong."

And so I went back to the crazy lesbian lawyer and I said, alright, I'll do it. We ended up finding a lawyer locally; the case was initially thrown out by a federal judge and at that point Lambda Legal stepped in and took over the case and joined up with Skadden Arps, which for any of you who know, it's one of the largest law firms in the world, and it was one of their partners in the Chicago firm who was my lead attorney. And not only did he take my case, but he came out as a gay, HIV positive man to his entire firm. And he said this is the case that he wanted to be remembered for, not all of the other cases that he had done. And so, just

amazing people that were working on my team.

So we won a verdict against the three principals, and not the school district and a lot of people wanted to know, why didn't they find the school district guilty? Well Wisconsin has had a law on the books since the early 1980's that said discrimination against students based on their sexual orientation was wrong. The school had a policy, and as a district, the building and the laws were there to protect me, but the people who were in charge of making sure those laws and policies were followed through on didn't do their jobs. And ultimately I think it was the best possible outcome for the case because what this holds is that school administrators now have a personal responsibility to protect students from harassment and if they do not they can be individually be sued, much like a doctor for malpractice. I've always said I don't care why people do the right thing; they just need to do the right thing. And if it means they're afraid of losing their house or their life savings, then hey, they'll protect kids and that's what needs to happen.

The case sent a message across the country that it was not okay to allow GLBT kids to be harassed and bullied in schools. And one of the things that I think sent that message loud and clear was that there was a settlement reached for \$900,000. I think the message was loud and clear that if you're going to discriminate against GLBT kids then you're going to pay the price. And I naively believed that things would change overnight. And fast-forward fifteen years. This last fall, as you saw on the news there were a lot of suicides and specifically gay suicides because of anti-gay bullying and abuse that kids were suffering. And one of the things that I think is important to realize isn't that suicides and anti-gay bullying isn't on the rise, it's just that someone started paying attention last fall. And I think it's a really important clarification to make. This has been happening for a very long time. And so I started thinking about the fact that I wanted to go back out and talk about this issue, I wanted to tell my story, I wanted to talk about bullying again.

I think there are three main things that need to happen. The first thing is prevention. If you prevent something in the first place, then you don't have to deal with it. It's a pretty simple concept that seems to be forgotten over and over in this country, however, it's going to be something that we are going to have to look at and look at seriously. And some things that I think need to happen in prevention: it needs to start early. It needs to start in grade school and earlier. We need to teach children the skill of empathy; our culture doesn't do a good job of teaching the skill, and unfortunately parents don't seem to be doing a good job of teaching the skill and the reality is that there have been studies done that say you can teach empathy.

We need a comprehensive approach to bullying. What I mean by that is we need to address all the people involved in bullying, we need to train staff, we need to get the victims help so they don't internalize the messages that they hear, we need to help the bullies

to understand why they're bullying and make sure that they don't end up living a life of crime, of domestic abuse, all the things that end up happening when we don't address the issue of bullying.

I realize that there's a lot of work to be done, but I'll tell you what I'm hopeful about. We are at a turning point, and this last fall with all the media coverage that was happening, I compare that to, in a lot of ways, what happened at the turn of the Civil Rights Movement when people started getting involved and caring. And what was it? It was media coverage, for the first time they were putting on the TV's pictures of people being hosed down in the streets, beaten in the streets, and America started to care, because I believe America does have a big heart, they just need to see something to get involved. And this last fall was a turning point, I don't think just for the GLBT movement but for the bullying movement. Because people started saying, "If kids are killing themselves because of what's happening in schools we need to do something about that. If kids are killing themselves because of our society's attitudes towards them and whether or not they should exist, we need to do something about that." And so, as much as I'm here to tell you there's a huge problem in this country, I'm also here to tell you that there is hope, and I know that things are changing, and things will continue to change, but it's going to take work and it's going to take all of us.

BULLYING: LANGUAGE, LITERATURE AND LIFE

JAMIE NABOZNY

LESSON GRADE LEVEL: 7–12
HUMAN RIGHTS ISSUE: STANDARD OF LIVING, EDUCATION, FREEDOM
FROM PERSECUTION, FREEDOM FROM DISCRIMINATION

UNIVERSAL DECLARATION OF HUMAN RIGHTS:

- **Article 2:** Freedom from Discrimination
- **Article 3:** Right to Life, Liberty, Personal Freedom
- **Article 5:** Freedom from Torture and Degrading Treatment
- **Article 25:** Right to an Adequate Standard of Living
- **Article 26:** Right to an Education

GUIDING QUESTIONS:

- What does it mean to be a bully, victim, bystander and defender?
- How does language usage contribute to our understanding of bullying, our tolerance of bullying, our comfort at stepping in to stop bullying or being a by-stander?
- How has the depiction of bullying changed throughout the years?
- What can we learn from historical portrayals of bullying?

TIME REQUIREMENT:

210 Minutes

OBJECTIVES:

After this lesson, students will be able to:

- Interpret language as a factor in perpetuating or preventing bullying.
- Identify attitude and behaviors that are consistent with bullies, victims, by-standers, and defenders.
- Understand the impact of one person standing up to and speaking out against bullying.
- Examine, through a literary lens, factors that contribute to bullying behavior.
- Develop an understanding of personal language use as a tool to stand up to bullying.

COMMON CORE LEARNING STANDARDS:

- CCSS.ELA-LITERACY.RH.6-8.1
- CCSS.ELA-LITERACY.RH.9-10.1
- CCSS.ELA-LITERACY.RH.11-12.1
- CCSS.ELA-LITERACY.RH.6-8.4
- CCSS.ELA-LITERACY.RH.9-10.4
- CCSS.ELA-LITERACY.RH.6-8.6
- CCSS.ELA-LITERACY.RH.9-10.6
- CCSS.ELA-LITERACY.RH.11-12.6
- CCSS.ELA-LITERACY.RH.6-8.8
- CCSS.ELA-LITERACY.RH.9-10.8
- CCSS.ELA-LITERACY.WHST.11-12.8

MATERIALS:

- Text pulled from required reading list
- Student handouts:
www.rfkhumanrights.org / click on **Speak Truth to Power** / click on **“Defenders”** tab

VOCABULARY:

- **Passive**
- **Aggression**
- **Bystander**
- **Brave**
- **Harass**
- **Harassment**
- **Insecurity**
- **Coward**
- **Panic**
- **Respect**
- **Scared**
- **Shun**
- **Rumors**
- **Target**
- **Tease**
- **Trust**
- **Victim**
- **Wronged**
- **Intimidate**

CONCEPTS:

- **Empathy**
- **Fairness**
- **Justice**
- **Values**
- **Cultural Norms**
- **Systemic Change**

TECHNOLOGY REQUIRED:

- Internet

STUDENT ACTIVITIES

ANTICIPATORY SET:

- 1 Write the word *Bullying* on the board. Ask the students to come up and write the first thing that comes to their minds when they read that term.
- 2 After the board is filled with the students' responses, ask the students to explain their responses.
- 3 Ask the students the following questions:
 - o What is bullying?
 - o Who does bullying impact?
 - o What does bullying look like?
 - o What roles play out in a bullying situation?
- 4 Identify commonalities and differences among the responses and group emerging themes.
- 5 Present to the students the vocabulary associated with bullying and handout #1.
- 6 Ask the students to identify commonalities and differences among the vocabulary and issues raised in the handout and the class discussion on bullying.
- 7 Based on both discussions, have the class formulate a definition of bullying. Keep this definition posted in the classroom.
- 8 Present the students with handout #2.
- 9 Ask the students to write one thought about the statistics. Share with class and save for use during the culminating activity "write the next chapter."

ACTIVITY 1:

- 1 Provide the students with a selection of readings from course-required textbooks. Choose from books that represent a range of genres and from books that were written in an earlier time period, the classics.
- 2 Have the students select 4 to 5 readings from the list provided.
- 3 Individually, have students explain how the text portrays bullying. This can be from the perspective of the bully, the victim, the bystander and the defender. Ask the students to capture attitudes, behaviors, language use, means of communicating, and actions.

- 4 In small groups, have the students share their interpretations of the texts. Ask the students to look for similarities and differences in their reading and interpretations, ask the students to share the comparisons.

ACTIVITY 2:

Follow the same steps as Activity 1 however this time, select readings from contemporary books.

ACTIVITY 3:

- 1 In small groups, have the students select one scene, that depicts bullying, from the text they have studied and reviewed.
- 2 Ask the students to share how they would change the scene to an anti-bullying scene. Students can act out the scene, they can use spoken word, or any means they feel will best allow them to demonstrate how they would change the scene.

CUMULATIVE ACTIVITY:

- Compare responses to bullying as portrayed in the selected readings from both the earlier and more contemporary texts. Highlight the commonalities and differences.
- Reflect back on the definition of bullying from the anticipatory set. Drawing on what the students have learned about language use, words and bullying from a literary perspective, and using the class definition of bullying, have the students create "the next chapter" on bullying.
- How would they like to see bullying change, how would they portray bullying in their own language, in their school, through their own means of communication – art, poetry, drama, spoken word, blog.
- Present the final pieces as part of an anti-bullying program or day at the school.

EXTENSION ACTIVITY:

- Have the students compare language use that portrays an aspect of bullying in novels with language used with cyber bullying.

INTERNATIONAL HUMAN RIGHTS FRAMEWORK

Since the creation of the Universal Declaration of Human Rights (UDHR) by the United Nations (UN) in 1948, many other international documents—also called treaties, covenants, resolutions, or conventions—have been drafted to develop these rights further. Countries commit to protect the rights recognized in these treaties by 'ratifying' them and sometimes a specific institution is created within the UN to monitor their compliance.

Here are examples of relevant international documents:

THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC):

- **Article 2:** Freedom from Discrimination
- **Article 6:** Right to Life
- **Article 7:** Freedom from Torture, Cruel, Inhuman and Degrading Treatment
- **Article 26:** Equal Protection of the Laws

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR)

CONVENTION ON THE RIGHTS OF THE CHILD (CRC)

CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CAT)

For more information, visit the Office of the High Commissioner for Human Rights' website: www.ohchr.org

BECOME A DEFENDER

- 1 Map your schools efforts to stop bullying through the following efforts: programs, safe spaces, reporting and support. Include both school-based and cyber bullying in your mapping exercise.
 - Create a map that shows the impact of the anti-bullying programs, that highlights safe spaces for students, that provides an overview of how a student reports cases of bullying and support systems for both the bully and the bullied.
 - From what is learned from the mapping exercise, work with teachers, staff and parents to further the efforts to stop bullying in your school. Examples of what you can do include:
 - i. **Have each student write and sign an anti-bullying pledge (include school-based and cyber bullying). The pledges can be displayed at varying places around the schools as a reminder of the communities commitment to a bully-free school.**
 - ii. **Create a handout to include whom you should go to and whom you should contact if you are bullied or see a bullying incident. This should include teachers, administrators, 911, state department of education, if the bullying is based on race, call the U.S Department of Education Office of Civil Rights. Include this information in the student handbook and make it visible around the school.**
 - iii. **Make sure hotlines and other safety network numbers are visible and available to all students**
 - Share your work with the wider community. In particular, consider hosting a family and/or a community anti-bullying night. Highlight the role that parents, other family members and community members can play in creating a safer place for all children. Have all participants write and sign an anti-bullying pledge.
- 2 Write “the next chapter” on bullying for your social media sites and to share with the *Speak Truth To Power* program. The “next chapter” can include anti-bullying posts on your social media sites, taking an active role in stopping bullying in your school, and sharing your work with the wider community.
 - In writing “the next chapter” advance inclusive and community enhancing language.

ADDITIONAL RESOURCES

Jamie Nabozny:

http://www.jamienabozny.com/Home_Page.html

This website serves as the center for Jamie’s work against bullying. Through this site, you can read testimonials, find out more about his current activities and even contact him for a possible visit to your school or town.

Anti-bullying activist encourages students to take a stand:

<http://www.cantonrep.com/article/20110922/News/309229835>

An article recounting Jamie Nabozny’s visit with the students of McKinley High School with great student reactions to his presentation.

Not In Our Town: Light in the Darkness:

<http://www.pbs.org/programs/not-in-our-town/>

Not In Our Town: Light in the Darkness is a one-hour documentary about a town coming together to take action after anti-immigrant violence devastates the community. In 2008, a series of attacks against Latino residents of Patchogue, New York culminate with the murder of Marcelo Lucero, an Ecuadorian immigrant who had lived in the Long Island village for 13 years.

Patchogue Plus Three: A Look Back at a Fatal Hate Crime:

<http://www.thirteen.org/metrofocus/news/2011/09/patchogue-plus-three-a-look-back-at-a-fatal-hate-crime/>

This article from Metro Focus examines the case of Marcelo Lucero, who was killed in 2008 after being attacked by a group of teens that made a game out of attacking Latinos in their neighborhood. After this brutal attack, Marcelo’s younger brother Joselo has dedicated his life to criticize the anti-immigrant violence in his hometown of Suffolk County.

It Gets Better Project:

www.itgetsbetter.org

The It Gets Better Project was created to show young LGBT people the levels of happiness, potential, and positivity their lives will reach—if they can just get through their teen years. The It Gets Better Project wants to remind teenagers in the LGBT community that they are not alone — and it WILL get better.

The Megan Meier Foundation:

<http://www.meganmeierfoundation.org/>

The mission of the Megan Meier Foundation is to bring awareness, education and promote positive change to children, parents, and educators in response to the ongoing bullying and cyberbullying in our children’s daily environment.

The Gay, Lesbian & Straight Education Network:

<http://www.glsen.org/cgi-bin/iowa/all/home/index.html>

The Gay, Lesbian & Straight Education Network strives to assure that each member of every school community is valued and respected regardless of sexual orientation or gender identity/expression.

Alex Holmes—Taking a Stand:

From Bullied to Anti-Bullying Leader:

<http://inspiremykids.com/2010/alex-holmes-making-a-stand-from-bullied-to-anti-bullying-leader/>

Alex Holmes, a teenager in England who got bullied himself, decided to take a stand. He invented a role at his school called a “Student Anti-Bullying Coordinator.” Then he started organizing events, creating videos, running campaigns and getting other students involved as ambassadors, event leaders and bully “patrollers.” This site features a video that tells Alex’s story as well as some ways to bring this message to a classroom or school.

Guidelines and Resources for Social and Emotional Development and Learning in New York State:

<http://www.p12.nysed.gov/sss/sed/SEDLguidelines.pdf>

This guidance document aims to give New York State school communities a rationale and the confidence to address child and adolescent affective development as well as cognitive development. By attending to the students’ social-emotional brain development and creating conditions where school environments are calmer and safer, teachers can teach more effectively, students learn better, and parents and community can feel pride in a shared enterprise.

NEA’s Bully Free: It Starts With Me:

<http://www.nea.org/home/NEABullyFreeSchools.html>

The NEA’s Bully Free program is a part of the NEA’s Issues and Actions program that is designed to help students and teachers to prevent and deal with bullying across the U.S.

Born This Way Foundation:

<http://bornthiswayfoundation.org>

Led by Lady Gaga and her mother Cynthia Germanotta, the Born This Way Foundation was founded in 2011 to foster a more accepting society, where differences are embraced and individuality is celebrated. The Foundation is dedicated to creating a safe community that helps connect young people with the skills and opportunities they need to build a braver, kinder world.

The Bully Project:

<http://thebullyproject.com>

The Bully Project highlights solutions that both address immediate needs and lead to systemic change. Starting with the film’s STOP BULLYING. SPEAK UP! call to action, The Bully Project will catalyze audience awareness to action with a series of tools and programs supported by regional and national partners.